

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**PAUL GAGLIARDI, INDIVIDUALLY, AND
ON BEHALF OF THE WRONGFUL DEATH
BENEFICIARIES OF REGAN GAGLIARDI**

PLAINTIFF

VS.

CIVIL ACTION NO. 3:20-cv-504-TSL-RPM

**LAKELAND SURGICAL CLINIC, PLLC;
JONATHAN ADKINS, M.D.; JACKSON PULMONARY
ASSOCIATES, P.A.; RIVER OAKS HOSPITAL, LLC d/b/a
MERIT HEALTH RIVER OAKS;
and JOHN DOES 1-10**

DEFENDANTS

FINAL JUDGMENT

THIS CAUSE came on for trial on April 11, 2022, before the Honorable Tom S. Lee, United States District Judge, and Plaintiff Paul Gagliardi, Individually and on behalf of the Wrongful Death Beneficiaries of Regan Gagliardi, and Defendant Jackson Pulmonary Associates, P.A. having announced that they were ready for trial, a jury consisting of seven persons was qualified and seated, and heard evidence presented on behalf of Plaintiff and Defendant. Having received the Court's instructions, having heard argument of counsel and considering all evidence presented during the one-week trial, seven (7) jurors retired to deliberate on April 15, 2022, at the close of all of the evidence. The Jury, upon an announcement of a verdict by the foreperson, returned into open court on April 15, 2022, and informed the Court that the Jury had reached a verdict. Form of the Verdict was completed by the Jury, and passed to Court, which stated that the Jury had found for the Plaintiff. The verdict of the jury assessed damages for funeral expenses in the amount of \$5,174, the lost future wages of Regan Gagliardi in the amount of \$340,000, and the loss of love and companionship on behalf of the wrongful death beneficiaries in the amount of

\$625,000. The Jury was polled after the reading of the verdict by the Court, and the jury verdict for Plaintiff and for the damages awarded was supported by a count of 7-0.

The Court, upon application of the legislative caps on non-economic damages pursuant to Miss. Code Ann. §11-1-60, reduces the award of non-economic damages from \$625,000 to \$500,000. With the application of Miss. Code Ann. §11-1-60, the Court finds the amount of \$845,174 as the damages awarded to Plaintiff against Jackson Pulmonary Associates, P.A. pursuant to this Final Judgment. Pursuant to Rule 54 (d) of the Federal Rules of Civil Procedure, Plaintiff shall file with the Clerk of Court, his Bill of Costs within fourteen (14) days of the entry of this Judgment.

IT IS THEREFORE, ORDERED that judgment be entered in favor of Plaintiff, Paul Gagliardi against Defendant Jackson Pulmonary Associates, P.A. in the total amount of \$845,174 in accordance with the verdict of the Jury, as well as the Court's ruling stated herein, and that interest accrue on the unpaid portion of said judgment at the rate of 1.81% per annum.

ORDERED, this the 19th day of April, 2022.

/s/ Tom S. Lee

UNITED STATES DISTRICT JUDGE

Prepared by:
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Counsel for Plaintiff
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